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HENDRICKS  
& BIVENS, P.A.

ATTORNEYS AT LAW

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ORIGINAL



0000016679

BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER

Chairman

KRISTIN MAYES

Commissioner

WILLIAM A. MUNDELL

Commissioner

MARC SPITZER

Commissioner

MIKE GLEASON

Commissioner

Arizona Corporation Commission

DOCKETED

FEB 02 2005

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AZ CORP COMMISSION  
DOCUMENT CONTROL

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In the matter of:

YUCATAN RESORTS, INC., d/b/a  
YUCATAN RESORTS, S.A., RESORT  
HOLDINGS INTERNATIONAL, INC., d/b/a/  
RESORT HOLDINGS INTERNATIONAL,  
S.A., WORLD PHANTASY TOURS, INC.,  
a/k/a MAJESTY TRAVEL a/k/a VIAJES  
MAJESTY, AVALON RESORTS, MICHAEL  
E. KELLY and LORI KELLY,

Respondents.

DOCKET NO. S-03539A-03-0000

APPLICATION TO  
WITHDRAW AS COUNSEL  
FOR RESPONDENT WORLD  
PHANTASY TOURS, INC. a/k/a  
MAJESTY TRAVEL a/k/a  
VIAJES MAJESTY

Pursuant to A.A.C. R14-3-104, the law firm of Meyer Hendricks & Bivens, P.A. hereby moves to withdraw as counsel of record for Respondent World Phantasy Tours, Inc. a/k/a Majesty Travel a/k/a Viajes Majesty ("World Phantasy") and requests that the Corporation Commission remove Meyer, Hendricks & Bivens, P.A. from any further mailings and communications in this matter.

ER 1.16(b) provides that counsel may withdraw if the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and the client has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled. Here, World Phantasy has failed to fulfill its obligation to the Firm and has

1 been warned that Meyer Hendricks & Bivens, P.A. will withdraw unless those  
2 obligations are fulfilled.

3 World Phantasy has been advised of pending deadlines and Meyer Hendricks &  
4 Bivens, P.A. has agreed to work cooperatively with World Phantasy to substitute other  
5 counsel in our place. World Phantasy, however, has not responded to Meyer  
6 Hendricks & Bivens, P.A. and, under such circumstances, it is impossible for Meyer  
7 Hendricks & Bivens, P.A. to continue to represent World Phantasy.

8 For future mailings, Meyer Hendricks & Bivens, P.A. requests that the  
9 Corporation Commission forward communications to:

10 Gabriel Humberto Escalante Torres, President  
11 World Phantasy Tours, Inc.  
12 Avenida Coba, No. 82, SM 3 Lote 10  
3 ER, Piso Cancun, Q. Roo  
Mexico 77500

13 Based on the foregoing, Meyer Hendricks & Bivens, P.A. respectfully requests  
14 that it be permitted to withdraw as counsel for World Phantasy in the above-captioned  
15 matter.

16 RESPECTFULLY SUBMITTED this 2<sup>d</sup> day of February, 2005.

17 MEYER, HENDRICKS & BIVENS, P.A.

18  
19 By 

20 Tom Galbraith  
Kirsten Copeland  
3003 N. Central Avenue, Suite 1200  
21 Phoenix, Arizona 85012-2915

22 Attorneys for Respondent  
23 World Phantasy Tours, Inc.  
24  
25  
26

1 ORIGINAL and thirteen copies of the foregoing  
2 hand-delivered this 2<sup>nd</sup> day of February, 2005 to:

3 Docket Control  
4 Arizona Corporation Commission  
5 1200 West Washington Street  
6 Phoenix, Arizona 85007

7 COPY of the foregoing hand-delivered  
8 this 2<sup>nd</sup> day of February, 2005 to:

9 Hearing Officer  
10 Hearing Division  
11 Arizona Corporation Commission  
12 1200 West Washington Street  
13 Phoenix, Arizona 85007

14 Jaime Palfai, Esq.  
15 W. Mark Sendrow, Esq.  
16 Securities Division  
17 Arizona Corporation Commission  
18 1300 West Washington Street, 3rd Floor  
19 Phoenix, Arizona 85007

20 COPY of the foregoing sent *via* U.S. Mail  
21 this 2<sup>nd</sup> day of February, 2005 to:

22 Joel Held, Esq.  
23 Elizabeth Yingling, Esq.  
24 Jeffrey Gardner, Esq.  
25 Baker & McKenzie  
26 2300 Trammell Crow Center  
2001 Ross Avenue – Ste.2300  
Dallas, Texas 75201  
Attorneys for Respondent  
Yucatan Resorts, Inc., d/b/a Yucatan Resorts, S.A.,  
and RHI, Inc., d/b/a RHI, S.A.

1 COPY of the foregoing sent *via* U.S. Mail  
this 2nd day of February, 2005 to:

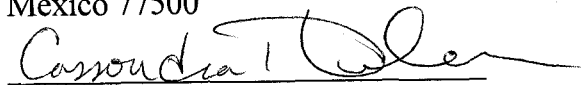
2 Joel Held, Esq.  
3 Elizabeth Yingling, Esq.  
4 Jeffrey Gardner, Esq.  
5 Baker & McKenzie  
6 2300 Trammell Crow Center  
7 2001 Ross Avenue – Ste. 2300  
8 Dallas, Texas 75201  
9 Attorneys for Respondent  
10 Yucatan Resorts, Inc., d/b/a Yucatan Resorts, S.A.,  
11 and RHI, Inc., d/b/a RHI, S.A.

12 Paul J. Roshka, Jr., Esq.  
13 Roshka, Heyman & DeWulff  
14 One Arizona Center  
15 400 East Van Buren Street, Suite 800  
16 Phoenix, Arizona 85004  
17 Attorneys for Respondents  
18 Michael and Lori Kelly

19 Martin R. Galbut  
20 Galbut & Hunter  
21 Camelback Esplanade  
22 2425 E. Camelback Road  
23 Suite 1020  
24 Phoenix, Arizona 85016  
25 Attorneys for Respondents  
26 Yucatan Resorts, Inc., d/b/a  
Yucatan Resorts, S.A., and  
RHI, Inc., d/b/a RHI, S.A.

18 COPY of the foregoing sent *via* Federal Express  
this 2nd day of February, 2005 to:

19 Gabriel Humberto Escalante Torres, President  
20 World Phantasy Tours, Inc.  
21 Avenida Coba, No. 82, SM 3 Lote 10  
22 3 ER, Piso Cancun, Q. Roo  
23 Mexico 77500

24   
25 416243